

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

STATE OF TEXAS, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
TRANSPORTATION, et al.,

Defendants.

No. 5:23-CV-304-H


ORDER

The Court has reviewed the plaintiffs' Second Status Report. Dkt. No. 11. In light of the contents of that report and in accordance with Local Civil Rule 7.1(e), the Court hereby orders that any response to the plaintiffs' motion for a preliminary injunction (Dkt. No. 9) is due no later than February 7, 2024. *See* Loc. Civ. R. 7.1(e). The Court further orders that any reply is due no later than 14 days after a response has been filed with the Court. Loc. Civ. R. 7.1(f). This briefing schedule comports with the Court's local rules and will afford the Court more time to resolve the motion before the March 17 deadline.

Given that this case involves questions under the Administrative Procedure Act and a challenge to a final rule, the defendants are hereby ordered to file the administrative record for the final rule in question by no later than January 31, 2024. If there is no administrative record, the defendants must file a notice with the Court affirming that no administrative record exists by that same date.

The Court recognizes that the parties have deferred to the Court about the necessity of a hearing. *See* Dkt. No. 11 at 2. If necessary, the Court will set a hearing at a later date.

So ordered on January 19, 2024.



JAMES WESLEY HENDRIX
UNITED STATES DISTRICT JUDGE